

BEFORE THE DIVISION OF MEDICAL QUALITY
BOARD OF MEDICAL QUALITY ASSURANCE
DEPARTMENT OF CONSUMER AFFAIRS
STATE OF CALIFORNIA

In the Matter of the Accusation
Against:

ROBERT IAN PICKER, M.D.
Certificate No. G-19505,

Respondent.

NO. D-3094

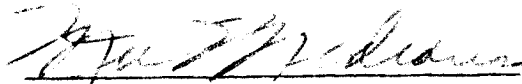
DECISION

The attached Stipulation is hereby adopted by the Division
of Medical Quality of the Board of Medical Quality Assurance as its
Decision in the above-entitled matter.

This Decision shall become effective on July 26, 1984.

IT IS SO ORDERED June 26, 1984.

DIVISION OF MEDICAL QUALITY
BOARD OF MEDICAL QUALITY ASSURANCE



MILLER MEDEARIS
Secretary-Treasurer

1 JOHN K. VAN DE KAMP, Attorney General
of the State of California
2 JOHN E. BARSELL, JR.
Deputy Attorney General
3 6000 State Building
San Francisco, CA 94102
4 Telephone: (415) 557-3629

5 Attorneys for Complainant
6
7

8 BEFORE THE BOARD OF MEDICAL QUALITY ASSURANCE OF THE
9 STATE OF CALIFORNIA
10

11 In the Matter of the Accusation)
against:)
12)
ROBERT IAN PICKER, M.D.)
13 2640 College Avenue)
Berkeley, CA 94704)
14 Certificate No. G-019505)
Respondent.)
15 _____)
16

NO. D-3094

PROPOSED DECISION
PURSUANT TO
STIPULATION

17 IT IS HEREBY STIPULATED by and between Robert Ian Picker,
18 M.D. (hereinafter "respondent"), by and through his attorney
19 Dennis M. Warren and the Board of Medical Quality Assurance,
20 Division of Medical Quality, State of California (hereinafter the
21 "Board"), by and through its attorney John K. Van De Kamp, Attorney
22 General of the State of California, by Deputy Attorney General
23 John E. Barsell, Jr., as follows:

24 1. That respondent has received and read the accusation
25 which is presently on file and pending in Case No. D-3094 before
26 the Board.

27 //

1 2. That respondent understands the nature of the charges
2 alleged in the above-mentioned accusation as grounds constituting
3 cause for disciplinary action.

4 3. That respondent is fully aware of his right to a
5 hearing on the charges and allegations contained in said accusation,
6 his right to reconsideration, to appeal and to any and all other
7 rights which may be accorded him pursuant to the California
8 Administrative Procedure Act, and that he hereby fully and volun-
9 tarily waives his right to a hearing, to reconsideration, to
10 appeal and to any and all other rights which may be accorded him
11 by the California Administrative Procedure Act with regard to said
12 Accusation No. D-3094.

13 4. That Stephen R. Wilford, complainant in the case, as
14 Acting Executive Director of the Board of Medical Quality Assur-
15 ance of the State of California, made and filed the accusation in
16 his official capacity. On November 20, 1970 respondent was issued
17 Physician and Surgeon Certificate No. G 19505 by the Board. Since
18 that time said license has been continuously in full force and
19 effect.

20 5. Respondent admits the following facts:

21 On March 4, 1983, in the Alameda Superior Court, in
22 Case No. 76071, respondent was convicted of a violation of section
23 487.1 (grand theft) of the California Penal Code, a felony, and a
24 violation of section 13095 (failure to supply tax information) of
25 the Unemployment Insurance Code, a felony. Said convictions were
26 for crimes substantially related to the qualifications, functions
27 and duties of a physician and surgeon. Said convictions are

1 grounds for disciplinary action pursuant to sections 490 and 2236
2 of the Business and Professions Code. Between on or about
3 November 1, 1979 and on or about June 24, 1982 in the County of
4 Alameda, respondent unlawfully obtained \$49,944.10 from Blue
5 Shield of California and the State of California by submitting
6 false Medi-Cal claims. Such conduct is grounds for disciplinary
7 action pursuant to section 2234(e) of the Business and Professions
8 Code.

9 6. That, based on the foregoing recitals, IT IS HEREBY
10 STIPULATED AND AGREED that the Division of Medical Quality may
11 issue, as to said grounds for disciplinary action, the following
12 order:

13 The Certificate No. G-019505, issued to the respondent,
14 is hereby revoked; provided, however, that said revocation is
15 stayed for a period of five (5) years, during which time respon-
16 dent shall be placed on probation, subject separately and severally
17 to the following terms and conditions:

18 (a) As part of probation, respondent is suspended from
19 the practice of medicine for ~~30~~⁹⁰ days beginning the effective date
20 of this decision. J.S.B.

21 (b) A copy of the order for probation in the criminal
22 matter referred to in paragraph 5 above is attached hereto as
23 Exhibit A. Respondent shall make restitution as set forth in
24 Exhibit A including any additional amounts as may be ordered by
25 the court.

26 (c) Respondent shall complete 750 hours of community
27 volunteer work. The volunteer work as set forth in Exhibit A may
28 be used by respondent to comply with this requirement.

1 (d) Respondent shall submit quarterly declarations under
2 penalty of perjury on forms provided by the Division, stating
3 whether there has been compliance with all the conditions of
4 probation.

5 (e) Respondent shall comply with the Division 's proba-
6 tion surveillance program.

7 (f) Respondent shall appear in person for interviews
8 with the Division's medical consultant upon request at various
9 intervals and with reasonable notice.

10 (g) In the event respondent should leave California to
11 reside or to practice outside the State, respondent must notify
12 in writing the Division of the dates of departure and return.
13 Periods of residency or practice outside California will not apply
14 to the reduction of this probationary period.

15 (h) Respondent shall obey all federal, state and local
16 laws, and all rules governing the practice of medicine in
17 California.

18 (i) If respondent violates probation in any respect,
19 the Division, after giving respondent notice and the opportunity
20 to be heard, may revoke probation and carry out the disciplinary
21 order that was stayed. If an accusation or petition to revoke
22 probation is filed against respondent during probation, the
23 Division shall have continuing jurisdiction until the matter is
24 final, and the period of probation shall be extended until the
25 matter is final.

26 (j) Upon successful completion of probation, respondent's
27 certificate will be fully restored.

7. IT IS FURTHER STIPULATED AND AGREED that the terms set forth herein shall be null and void, and in no way binding upon the parties hereto, unless and until accepted by the Division of Medical Quality, Board of Medical Quality Assurance of the State of California.

JOHN K. VAN DE KAMP, Attorney General
of the State of California

DATED: October 27 1983 John E. Barsell, Jr.

JOHN E. BARSELL, JR.
Deputy Attorney General

Attorneys for Complainant

DATED: October 31, 1983 Dennis M. Warren

DENNIS M. WARREN, Attorney for
Respondent

I HEREBY CERTIFY that I have read this stipulation and agreement in its entirety; that my attorney of record has fully explained the legal significance and consequences thereof; that I fully understand all of the same, and in witness thereof I affix my signature this 2nd day of November, 1983, at Walnut Creek, California.

Robert Ian Picker, M.D.
ROBERT IAN PICKER, M.D.
Respondent

I agree to the amendment on page 3 changing the period of actual suspension to 90 days from 30 days.

DATED: 5-10-84

Robert Ian Picker, M.D.
ROBERT IAN PICKER, Respondent

JEB:AB
10-27-83
03573110
SF83AD0284

SUPERIOR COURT OF THE STATE OF CALIFORNIA
IN AND FOR THE COUNTY OF ALAMEDA

DEPT. 09

Date: **June 17, 1983** Hon. **STANLEY P. GOLDE** Judge **Julie Rodrigues** Deputy Clerk
K.A. Alley Deputy Sheriff **James Lee** Reporter

THE PEOPLE OF THE STATE OF CALIFORNIA

FILED

Plaintiff

JUN 17 1983

vs.

RENE C. DAVIDSON, County Clerk

By Dennis Roberts Defendant
DEPUTYCounsel appearing
for Plaintiff**Rodney Davis, Deputy
Attorney General**Counsel appearing
for Defendant**Dennis Roberts, Esq.**Probation Officer
appearing**Stanley Northey, Deputy****ROBERT CLAN PICKER**

NATURE OF PROCEEDINGS:

MINUTE ORDER re: PROBATION

ACTION No. **76071**

This action comes on regularly this day for report of the Probation Officer and sentence.

PFN **AND 458**The defendant having been convicted on **March 4, 1983**

by

CEN **2088258**☒ plea of guilty☐ decision of Court☐ verdict of jury☐ plea of not contendere

of the offense **3** of felonies to wit: **Grand Theft, a violation of Section 487.1 of the Penal Code of the State of California as charged in the 21st count of the Complaint; a violation of Section 13095 of the Unemployment Insurance Code as charged in the 23rd count of the Complaint.** On the motion of the District Attorney and in the furtherance of justice, the Court ordered the **1st thru 20th, 22nd, and 24th counts dismissed, and the cause was certified to this court for sentence.**

The Court having read and considered the report of the Probation Officer, it is now the Order of this Court that the imposition of sentence is suspended for the period of **FIVE (5) YEARS** during which time the defendant is placed under the care, custody and control of the Probation Officer of Alameda County, subject to the following terms and conditions, to-wit: Defendant shall

- ☐ Serve the first _____ months of said probationary period in the Alameda County Jail, credit for time served from _____ and upon release therefrom, ☐ NOT ELIGIBLE FOR COUNTY PAROLE.
- ☒ Report forthwith to the Probation Officer of Alameda County and thereafter as directed, but not less frequently than once each month.
- ☒ Follow all directives of the Probation Officer.
- ☐ Seek and maintain regular employment and/or schooling and not change place of employment or residence without first obtaining the permission of the Probation Officer.
- ☐ Not indulge in the use of intoxicants or visit any place where intoxicants are sold as the primary income of the business.
- ☒ Obey all laws of the community and be of good conduct.
- ☐ Not use or in any way traffic in narcotics or dangerous drugs, and not associate with any person using or in any way trafficking in narcotics or dangerous drugs.
- ☐ Submit to such counseling, treatments or tests as directed by the Probation Officer, including Nalline and urinalysis.
- ☐ Not associate with any person of known criminal record or tendencies.
- ☒ Make restitution **in the amount of \$49,944.10 payable at a monthly rate of \$400.00 on the first** ***of each month commencing July 1, 1983.** to and through the Probation Officer in such monthly installments as directed by said Officer.
- ☐ Pay a fine of \$ _____ to and through the Probation Officer in such monthly installments as directed by the said Officer.
- ☐ If arrested, report in writing to the Probation Officer within _____ days of said arrest and use true name, date of birth and address.
- ☐ Defendant is ordered to reside in an approved live-in drug program. _____ is approved. Defendant to remain in said program for a minimum period of _____ and not to leave without written permission of Probation Officer, director of said approved program and this Court.
- ☐ Defendant remanded into the custody of the Sheriff of Alameda County.
- ☐ Submit to search and seizure of; vehicle, residence, person, (delete non-applicable) by any Probation Officer or any other law enforcement officer at any time of the day or night, with or without a search warrant.
- ☒ Defendant is to complete 750 hours of volunteer work at Santa Rita Jail.
- ☒ Defendant to submit to audit inspection of all financial and income tax records.
- ☒ The cause is ordered continued to December 12, 1983 at 9:00a.m. for Progress Report.

DISTRIBUTION: (1) Original Filed. (2) Endorsed Copy to Micro. (3) Cert. Copy to Sheriff. (4) Probation Office.

1 JOHN K. VAN DE KAMP, Attorney General
2 of the State of California
3 JOHN E. BARSELL, JR.
4 Deputy Attorney General
5 6000 State Building
6 San Francisco, CA 94102
7 Telephone: (415) 557-3629

8 Attorneys for Complainant

9 BEFORE THE BOARD OF MEDICAL QUALITY ASSURANCE
10 STATE OF CALIFORNIA

11 In the Matter of the Accusation)
12 against:)
13 ROBERT IAN PICKER)
14 2640 College Avenue)
15 Berkeley, CA 94704)
16 License No. G-019505)
17 Respondent.)

NO. D-3094

ACCUSATION

17 STEPHEN R. WILFORD charges and alleges:

18 1. He is Acting Executive Director of the Board of
19 Medical Quality Assurance and makes these charges and allegations
20 in his official capacity.

21 2. On or about November 20, 1970, respondent was issued
22 Physician and Surgeon Certificate No. G 19505 by the Board of
23 Medical Quality Assurance. At all times relevant herein, and now,
24 said license has been in full force and effect.

25 FIRST CAUSE FOR DISCIPLINARY ACTION:

26 3. On March 4, 1983, in the Alameda Superior Court, in
27 Case No. 76071, respondent was convicted of a violation of section
28 487.1 (grand theft) of the California Penal Code, a felony, and a

1 violation of section 13095 (failure to supply tax information)
2 of the Unemployment Insurance Code, a felony. Said convictions
3 were for crimes substantially related to the qualifications,
4 functions and duties of a physician and surgeon.

5 4. The convictions alleged in paragraph 3 above are
6 grounds for disciplinary action pursuant to sections 490 and 2236
7 of the Business and Professions Code.

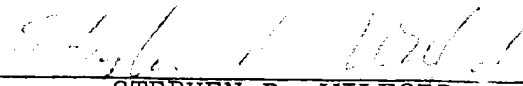
8 SECOND CAUSE FOR DISCIPLINARY ACTION

9 5. Between on or about November 1, 1979 and on or about
10 June 24, 1982 in the County of Alameda, respondent unlawfully
11 obtained \$49,944.10 from Blue Shield of California and the State
12 of California by submitting false Medi-Cal claims.

13 6. The conduct alleged in paragraph 5 above is grounds
14 for disciplinary action pursuant to section 2234(e) of the
15 Business and Professions Code.

16 THEREFORE, it is requested that upon proof of the
17 matters alleged herein that respondent's license be revoked or
18 suspended or that such other action be taken as may be deemed
19 proper.

20 DATED: August 26, 1983.

21
22 
23 STEPHEN R. WILFORD
24 Complainant
25
26
27

03573110-SF83AD0284